

CONFIDENTIAL RECORD SHEET

REGISTRATION SERVICE BOY SCOUTS OF AMERICA

Date February 23, 1990

Social Security Number [REDACTED]

Full name Sam William Donaghe - Mark Whitten
(No initials if you can possibly get full name)

Address [REDACTED]

City Lacey State Wa. ZIP 98503

Date of birth 5/07/49 (This is important and should be exact.)

Approximate age (To be used ONLY when date of birth is not known.)

Religion L. D. S. Nationality Caucasian

Occupation Self Employed

Education Master Degree - Columbia Pacific

Weight 250lb. Height 5'10" Race Caucasian

Color of hair Black Color of eyes --

Outstanding characteristics or interests

Married or single Married Children [REDACTED]
(Number, ages, and names, if possible)

Spouse's name [REDACTED]

Scouting connections:

Unit No.	City	State	Position	Date registered	Date resigned
Associated in the San Jose California area.					

Special Recognition Eagle Scout - Explorer Silver Award - Scoutmasters Key

Suspended or denied registration for following reasons: Denied - violation of Federal probation - discovered he was not to have any association with children, or youth activities.

SPECIFY THE FACTS THAT LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION, AND LIST ATTACHED SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE, OR SPECULATION):

NOTED

MAR 28 1990

CONFIDENTIAL

JOSEPH L. ANGLIM

MAR 7 1990

F. STARON

Signed [Signature]

Scout Executive

Council Tumwater Area (737)

CONF012690



*Tumwater Area Council Inc.
Boy Scouts Of America*

Western737

P.O. Box 1308
Olympia, Washington 98507

Western737

March 5, 1990

Mr. Paul Ernst, Director
Registration Service
National Office
Boy Scouts of America
1325 Walnut Hill Lane
P. O. Box 152079
Irving, Texas 75015-2079

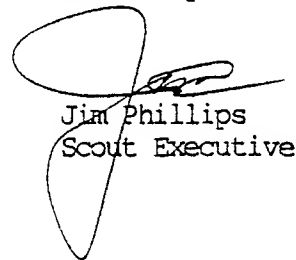
Dear Paul:

Enclosed is a copy of a recent memo from Mr. Zimmerman (a member of our youth protection review committee), regarding the case of Sam Donaghe/Mark Whitten.

I am forwarding this to be included with the previous material sent to you. The only new information may be item number two, regarding the sexual molestation investigation.

If you have any questions, or if I can be of further service, please give me a call.

Sincerely,



Jim Phillips
Scout Executive

JAP/lc

Enc

CONF012691

TO: Jim Phillips, Scout Executive
Tumwater Area Council

FROM: Steve Zimmerman *DS*

SUBJECT: Update on Sam Donahee

DATE: March 1, 1990

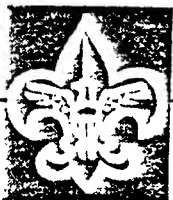
I received a call this morning from Deputy Sheriff Jim Cowell and was advised of the following concerning Mr. Donahee, a.k.a. Mark Whitten:

- Mr. Donahee has been arrested by Federal authorities for probation violation and is currently in jail. He will probably be incarcerated for six months.
- An investigation of sexual molestation has been initiated by the Thurston County Sheriff's Office concerning a complaint against Mr. Donahee by a foreign exchange student who has been living with Mr. Donahee for the last year.

This obviously adds a new dimension to our discussions on February 12th. If I can be of any further assistance or if you would like to schedule another meeting concerning this issue, please let me know.

cc: Alan Swanson

COPY



Tumwater Area Council Inc.
Boy Scouts Of America

Western737

P.O. Box 1308
Olympia, Washington 98507

February 26, 1990

Western737

Mr. Paul Ernst, Director
Registration Service
National Office
Boy Scouts of America
1325 Walnut Hill Lane
P. O. Box 152079
Irving, Texas 75015-2079

Dear Paul:

Attached are the documents on Sam W. Donaghe/Mark Whitten.

When you review the adult application, you will note he lists a "minor violation". However, the Federal Government did not view it as such.

He was put on probation for a period of years, and during this time he was not to associate with children, or children's organizations.

While checking on Sam, we came across the federal probation officer in Tacoma who pointed out a concern regarding Sam's potential involvement with the Boy Scouts of America.

From our findings, and your alertness, an active pedophile (who was a member of the Boy Scouts of America) could change his name and be right back in the program. Sam pointed out the way how the National Boy Scouts of America could be used against itself.

Sam's probation officer was very concerned about the evidence they found that by changing his name (which they were unaware of) he could get new documents and possibly use them in other areas.

If it had not been for your alertness, and immediate telephone calls, someone could have been in potential trouble. For sometime Sam had been upset with us for denying his membership with the Boy Scouts of America, and was telling others of his intent to join Mt. Rainier Council (Tacoma).

Thank you for your time, and keep up the good work.

Sincerely,


Jim Phillips
Scout Executive

JAP/lc

Encs

CONF012693

Tumwater Area Council
Boy Scouts of America
Regarding Sam W. Donaghe/Mark Whitten

February 23, 1990

1. Summer of 1989 - received phone call from:
Bob Thornton
Federal Probation Officer - Tacoma
[REDACTED]
Second call: February 23, 1990

Mr. Thornton reported that Sam Donaghe notified him (because of probation requirement) that he was registering with the Boy Scouts of America. Sam was advised not to. (The Federal Judge had stated that during his probation he was not to have any association with any youth or youth organization).

2. August 1989 - During the first part of August, Sam called me (Jim Phillips) and told me that the accusations were false, and not of the magnitude everyone was stating. (letter attached)

3. At this time, the review committee was not available to meet. Sam began to mount a major campaign to get registered.

4. January 1, 1990 - Sam began making statements to other Scouters that the Council was unwilling to hear his case, or allow him to be a member. The new Council President, Dick Platner thought (and maybe still thinks) that I, and the Boy Scouts of America had no right to deny registration. Commissioner staff members (who became friends of this man) were asking questions. (All those who were asking are very quiet today).

5. February 16, 1990 - a letter was sent to Sam, and the review committee was in the process of looking into the matter. (letter attached)

6. February 14 - 23, 1990 - Federal probation officers obtained a search warrant, arrested Sam, and confiscated all his computer equipment and software plus found one or two fire arms.

His probation was revoked, and the Fed's. are planning to keep him in jail. Sam's violation was bringing students from other countries (for a fee - which is legal) to study in the United States. However, some of these students were youth under 18 (violation of his probation).

In the search of his home, the officers found correspondence with the National Boy Scouts of America, which caused them to look further. They were not aware that he had changed his name. The Federal Government also wanted to be assured that the change of name on the special award documents did not constitute current membership in the Boy Scouts of America.

Special note: Sam's problem - tells the world about his problem, and how innocent his is.

BOY SCOUTS OF AMERICA ADULT APPLICATION

Please print one letter in each space—press hard; you are making four copies.

First name and initial

Last name

S I A M

D O N A G A E

Address—street or R.F.D.

Additional address information (if necessary)

City

State

ZIP code

L A C E Y

W A 9 8 5 0 3 - 1 9 8 4

Home phone

Business phone

Date of birth

Training
(see cover)Position Code
(see cover)

0 5 0 7 4 2

Month Day Year

Occupation, employer, and business address

Years at this
employmentBoys'
Life

New leader

Transfer

Former leader

Sex

U. S. citizen

Yes No

Driver's license No.

Expiration

05-07-93

1. Scouting background

Position

Council

Year

Eagle Scout 25 1957

Silver Award 25 1958

Scoutmaster 55 1983?

Experience working with youth in other organizations?

Yes

Assoc. Council member 25 - late 70's

Camp Staff member 7 yrs

3. Previous residences (for last 5 years).

City

State

Olympia, WA.

San Jose, CA

CA.

4. Current memberships (religious, community, business, labor, or professional organizations).

N/A

5. References. Please list those who are familiar with your character as it relates to working with youth. References will be checked when necessary.

Name Charles Moore

Name Bob Solle

Name Mike Rosenblum

Name Dick Platner

6. Additional information.

a. Do you use illegal drugs?

Yes No

b. Have you ever been convicted of a criminal offense? (If yes, explain below.)

Yes No

c. Have you ever been charged with child neglect or abuse?

Yes No

d. Has your driver's license ever been suspended or revoked? (If yes, explain below.)

Yes No

e. Other than the above, is there any fact or circumstance involving you or your background that would call into question your being entrusted with the supervision, guidance, and care of young people? (If yes, explain below.)

Yes No

DMINOR PASSPORT VIOLATION
500 FINE + More
CIVIL offense

I understand that:

a. The information that I have provided may be verified, if necessary, by contacting persons or organizations named in this application, or by contacting any person or organization that may have information concerning me. I hereby release and agree to hold harmless from liability any person or organization that provides information. I also agree to hold harmless the chartered organization, local council, Boy Scouts of America, and the officers, employees, and volunteers thereof.

b. In signing this application, I affirm that the information I have given is true and correct.

Signature of applicant

date

APPROVALS FOR UNIT SCOUTERS

To the best of our knowledge, this applicant meets the leadership standards of the Boy Scouts of America:

Signature of unit committee chairman

Date

Signature of chartered organization head or chartered organization representative

Date

Signature of Scout executive or designee

Date

APPROVAL FOR COUNCIL/DISTRICT SCOUTERS

To the best of my knowledge, this applicant meets the leadership standards of the Boy Scouts of America:

Signature of Scout executive or designee

Date

Registration fee

Boys' Life fee

(months)

Unit renewal date

4.60

0.00

08

1259

Month Year

Transfer from:

Council

FOR COUNCIL USE

Nat'l unit No.

Member ID No.

If applicant has an unexpired membership certificate, registration may be accomplished by paying \$1 for processing the transfer. Check the box and attach certificate. It will be returned by the council.

COPY

August 15, 1989

Mr. Jim Phillips
Chief Scout Executive
Tumwater Area Council- BSA

[REDACTED]
Olympia, WA. 98507

Re: Appeal to letter written to Sam Donaghe

Mr. Phillips and Mr. Manning:

I do wish to appeal your letter to me asking me to sever relations with the local scouting program. I have done nothing for which I ought to "defend" or "explain myself in this area or council.

The "convictions" referred to by my probation officer in Tacoma are non-existent, there were three misdemeanor cases at the state level, (over which the federal government has no jurisdiction); some fifteen years ago, but those have long since been officially and legally cleared from my history. The probation officer admits, privately to me, that there are no convictions on any record of mine with regard to these items.

As a result of a letter and documents provided his superiors and the judge in the case, I am quite sure he is more than aware that he overstepped the situation a bit.

The only conviction I have, for anything, is the one I told you about on the application in the scout office, and there were some very complex, and mitigating circumstances, with regard to that incident.

With regard to the supposed "accusation" against me, that does not exist. I was never charged with anything with regard to any such accusation, never arrested, never tied to anything such as alluded to in the supposed accusation.

You would have to know how that "accusation" came about in order to understand why and how the false statement on a passport application case came about, suffice it to say that the matter came about because I tried to stop and change the lifestyle of [REDACTED] who was, and is, actively engaged in homosexual relationships.

I was warned, by [REDACTED], that if I tried to interfere in his lifestyle, check on his friends, etc., that a friend of [REDACTED], who was, is, a Vietnamese attorney had told [REDACTED] that he could say certain things about me that would be very hard to defend against...the Vietnamese call this "putting the hat on" a person. The accusation is made, theft, homosexuality, alcoholism, whatever, and the person

CONF012696

MAR 30 1990

A. GRAVES

March 30, 1990

Mr. J. A. Phillips, Jr.
Scout Executive
Tumwater Area Council, No. 737

PERSONAL AND CONFIDENTIAL

SUBJECT: SAM DONAGHE/MARK WHITTEN

Dear Jim:

Thank you for the detailed information sent concerning the above Scouter. This case has been reviewed with our attorney and is now on our permanent Ineligible Volunteer File.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Western Region

CONF012697

AUTHORIZATION FOR RELEASE OF RECORDS AND INFORMATION TO
BOY SCOUTS OF AMERICA, TUMWATER AREA COUNCIL

TO WHOM IT MAY CONCERN:

Re: _____

You are hereby authorized and directed to furnish full and complete records, reports and information requested by the BOY SCOUTS OF AMERICA, TUMWATER AREA COUNCIL, PO Box 1308, Olympia, Washington 98507, or to any representative, attorney or investigator from said office. This authorization extends to the examination of all records, files, photographs, charts and other materials, including statements made by me, and the furnishing of any copies of such records or any information (including opinions) which will aid the Tumwater Area Council, or as they request.

A photocopy of this release shall be considered the same as an original.

DATED this ____ day of _____, 1990.

SUBSCRIBED AND SWORN to before me this ____ day of _____,
1990.

NOTARY PUBLIC in and for the State
of Washington, residing at _____
My commission expires: _____

COPY



Tumwater Area Council Inc.
Boy Scouts Of America

Western737

P.O. Box 1308
Olympia, Washington 98507

Western737

February 16, 1990

Sam William Donaghe

Lacey, Washington 98503

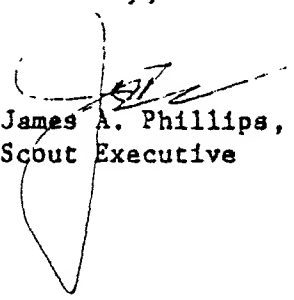
Dear Sam:

The Youth Protection Committee has completed a formal meeting, and Alan Swanson (Chairman) would like to have the enclosed release form completed and signed by you, and returned to me as soon as possible (personal and confidential).

This release will allow us (with your consent and knowledge) access to your records, and individuals who hold such records.

If you have any questions, please feel free to contact me.

Sincerely,


James A. Phillips, Jr.
Scout Executive

JAP/lc

Enc

COPY

CONF012699



*Tumwater Area Council Inc.
Boy Scouts Of America*

Western737

P.O. Box 1308
Olympia, Washington 98507

Western737

July 12, 1989

Sam William Donaghe

Lacey, Washington 98503

Dear Mr. Donaghe:

After careful review, we have decided that your registration with the Boy Scouts of America should not be accepted. We are therefore compelled to request that you sever any relations you may have with the Boy Scouts of America. A refund of your registration fee is enclosed.

You should understand that Boy Scouts of America membership registration is a privilege and is not automatically granted to everyone who applies. We reserve the right to refuse registration whenever there is concern that an individual may not measure up to the high standards of membership the Boy Scouts of America seeks to provide for American youth.

If you wish to have this decision reviewed, please write to me within 60 days of the date of this letter, explaining your version of the facts supporting your claim that your registration as a Boy Scouts of America member should be granted. The procedures for review are attached.

Sincerely yours,

Mason Manning
Council President

MM/JAP

Enc

COPY

CONF012700

has to endure that reputation etc. This is often done among Vietnamese in their home country.

Shortly after [REDACTED] had issued his warnings to me; several incidents happened, to [REDACTED], and he made the false assumption that [REDACTED] was the cause of his embarrassments, and, in a sort of "get back" mode; he made an accusation.

When the police actually asked him to provide details, sign a statement etc. the boy got on a bus and disappeared. We, [REDACTED] did not know, for over six months, where he was...during that time he called, several times, and explained, [REDACTED] that nothing had happened with regard to me along the lines of his accusation, and that he was sorry for having made it.

He had made the accusation just to get me out of his lifestyle and to have me stop checking on his friends etc.

[REDACTED]

For an Asian, a homosexual lifestyle is not something freely and openly discussed in the family, and he feared my interference, and the family's knowledge of his activities.

The boy has written, and had notarized in front of my wife and his father, two different recantations of his accusation.

His two older brothers have written legal statements and had them notarized stating their brothers statements to them that nothing of a sexual nature ever transpired between myself and their younger brother.

The boy (the third boy in the family is whom we are discussing here) who made the initial accusation has recanted said accusation, he has apologized to my wife and myself in front of other family members and in private. He has asked to come and live with us in Washington State because no one else in [REDACTED] understands him, or seems to care about him, or is willing to work with him. He has done all that he can to undo the damage he did with his accusation which arose out of a situation in which he became angry. I feel no anger toward him, I and my wife have both told him that we have forgotten and forgiven the incident.

I have all necessary documents to prove that there are no longer any "convictions" on my history; other than the one you know about regarding the passport matter.

That matter came about for one simple reason...when the initial accusation was made by [REDACTED] I knew the "police

mentality" would not allow me any kind of a defense due to my prior supposed record. I knew that no one would look at the legal setting aside of such convictions, and would only attempt to convict me of something I did not do... the thought was that if I visited some friends overseas, the mess would be cleared up in a month or two, once we found the boy and got the truth presented to the authorities.

I did a stupid thing with the passport; and I admit that, but I did not do anything more, and certainly not what I was initially accused of doing.

Yet, at the time, I also knew no one would believe me, that I would have to go through a lot of expense and trauma, especially where my immediate family was concerned, in order to try and clear up the situation. I also knew that if the matter did get cleared up, there would still be a lot of damage done to a lot of people.

On the passport violation, I incurred a fifty dollar court cost fine and some three years of federal probation. This is certainly not a "major" crime, and certainly not one for which I ought to be penalized beyond what the court has stated.

What it comes down to is that I have no convictions, other than the one you know about, there is no accusation, there is no open case, there is nothing except what is floating about in the imagination of the probation officer, who did not do the background check on me, who has not been privy to the circumstances of the case etc., etc. and who had no right to make some of the statements he did make to you, since some of those statements had no basis in fact.

Certain documents are open to your inspection if you should so desire. You may speak to the federal probation officer in San Jose, CA. who did do the background check and is fully familiar with this case etc. I would request you hold no further discussion with Mr. Thornton in Tacoma, since this is rather a sore spot with him at the moment. I have spoken to his superiors at length; and as a result; he and I are not on the best of terms at the moment.

As for scouting, it is the only thing, outside my immediate family, which means anything to me. I have stayed out of the program for over fifteen years simply to keep any suggestion by anyone of any wrong activity from arising. When I came here, and I was asked to join, by several scouters in the area, I felt there was no harm, and no problem.

Unfortunately, my probation officer here is somewhat different than the one I had in San Jose, and he views things somewhat differently, and apparently tends to put his own interpretation on certain matters.

COPY

He has stated that even if I went in front of the review board, and the board found that I could continue with Scouting in the council, he would stop it. I have no choice, I can not, for the moment, continue, or he will make trouble for me.

I must attempt to clear this matter up with the council, and you, or there will be a "cloud" sort of hanging there and no chance for me to participate later in life when he is no longer in somewhat of a control position in my life.

So, what I am asking is for you to review what I have written and know that I am considerably "straighter" than a lot of people, that I have paid for those mistakes made in my life, not once, but many times over, that I am an "aware" and responsible individual who wishes to serve the Scouting program at some time in the future. But, that I can not now do so, even if your board decides to allow me to participate.

I have paid whatever debt was required by society to expiate anything I have done, I have taken the legal steps to clear whatever matters may have been involved some years ago, and legally these matters are as if they never happened. I have nothing for which to be ashamed or guilty.

I would not, under any circumstances, dishonor Scouting.

I write this letter at the urging of several scouters who believe, as I do, that Scouting teaches a number of worthwhile precepts, and that Scouting does not run on rumor, innuendo, false statements or "accusations" which are unproven, and that I must do something to fight such items.

I still believe, and live, as much as I can, those things I was taught as a boy and a Scout.

If nothing else, I wanted the thought that I was acceptable to the program, even if I were not terribly active in it.

If I can answer any questions, I would be happy to do so in private conversation, and I would provide documents if necessary to prove my statements.

I would request that the door be left open to me to serve at sometime in the future. Neither you, nor Scouting, have anything to fear from me, my only desire is understanding of my position, which is that I have done no wrong that impacts on this council or Scouting, and that I do have the right, once off probation, to serve, honorably, a program I love.

Sincerely,



Sam W. Donghe,

Lacey, WA. 98503

CONF012703

PERSONAL AND CONFIDENTIAL

SUBJECT: MARK WHITTEN

On February 23 at 1:30 I talked to Jim Phillips, Scout Executive council no. 737, related to the above named individual. This individual had been involved with the Boy Scouts of America and had recently changed his name from Sam Donaghe. He wrote to the Eagle Scout Service and had a new Eagle Certificate prepared under his new name. He did furnish official documents for the change of name.

Mr. Whitten has now been picked up by the authorities because he violated his probation which was related to false information charge on his passport. He has been held in custody at the present time for this violation of probation, which indicated he could not have any activities with youth. Apparently, he did not adhere to that through his registration with the Boy Scouts of America and some other operations with which he was involved.

Mr. Phillips will be sending us more information on this matter.

jf

CONF012704

READY FOR FILE

February 12, 1990

FEB 12 1990

A. GRAVES

Mr. Norman J. Stone
Director of Field Service
Chief Seattle Council, No. 609

PERSONAL AND CONFIDENTIAL

SUBJECT: Mark Whitton

Dear Norm:

I really appreciate your effort in the case of the above named individual. We have been contacted by Jim Phillips and are building a file of information which will be most helpful to us for the future.

Thanks again for the great job you did for me.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Western Region
H. Dean Lollar, Council No. 609

CONF012705



BOY SCOUTS OF AMERICA

Chief Seattle Council #609
3120 Rainier Avenue South
Seattle, Washington 98144-6095

February 5, 1990

Paul Ernst
Registration
National Office
Boy Scouts of America
1325 Walnut Hill Lane
PO Box 152079
Irving, TX 75015-2079

SUBJ: Mark Whitton aka Sam Donaghe

Dear Paul:

After checking as you requested, Sam Donaghe is in Olympia, Washington. Jim Phillips, Scout Executive should have called you by now with details. I alerted George Leonard in Tacoma since they are neighboring Councils.

Sincerely,


Norman J. Stone
Director of Field Services

NJS:cf

FAX (206) 723-4330



A United Way Agency

CONF012706

CALL BACK REQUESTED _____

COUNCIL #

604

PHONE NO:

On-Line _____

Batch _____

CALLER:

Jim Phillips

POSITION:

SE.

TYPE OF PROBLEM

REGISTRATION _____

VETERANS _____

DEBIT _____

CREDIT _____

PROGRAM CODE

& UNIT #

RENEWAL DATE

TRANSMITTAL #

ID #

FILM #

Olympia wa.

Please call

~~MARK WHITTEN~~

SHOULD BE ON FILE -

SHOULD NOT BE REGISTERED & REPORTED
TO FEDERAL AUTHORITIES -

SOLUTION:

LTR SENT BY COUNCIL

LIED ON PASSPORT APPLICATION
NOW ON PROBATION

INFO TO COME

Added to IU file
No reg to debit

2/7/90

NAME

Barnes

DATE

2-6-90

TIME

CALL BACK REQUESTED _____

COUNCIL # 609

PHONE NO: [REDACTED]

On-Line _____

Batch _____

CALLER: Norman Stone

POSITION:

Director of Field Ser

TYPE OF PROBLEM

REGISTRATION _____

VETERANS _____

DEBIT _____

CREDIT _____

PROGRAM CODE

& UNIT #

RENEWAL DATE

TRANSMITTAL #

ID #

FILM #

Re: Conversation to Mr. Ernst.
This man called council in WA.
To locate:
Sam Donaghe.
who was located in Olympia WA Co 604
Will be receiving a phone call from
Jim Phillips - SE of Co. 604.
His phone # [REDACTED]

SOLUTION:

Claire - five mins. later Mr. Phillips
called - he will call back approx. 1:50 p.m.

Please
Call

NAME

DATE

TIME

1/10/89-eko-567r

CONF012708

CALL BACK REQUESTED _____

COUNCIL #

~~XXXXXXXXXX~~

PHONE NO:

On-Line _____

Batch _____

CALLER:

~~XXXXXXXXXX~~

POSITION:

~~XXXXXXXXXX~~

TYPE OF PROBLEM

REGISTRATION _____

VETERANS _____

DEBIT _____

CREDIT _____

PROGRAM CODE

& UNIT #

RENEWAL DATE

TRANSMITTAL #

ID #

FILM #

MARK WHITTEN

1985-1986

1988 MOVED TO WASHINGTON STAT.

RESUS
CLAIMED
REGISTRATION B
A CO-FOUN

SOLUTION:

SAM

DONAGHE

OLD NAME

MARK WHITTEN

NEW NAME

Co 609 WILL CALL

BELLEVUE

OLMPIA

KEYS HARVE

TACOMA

EVERETT

NAME

DATE

TIME

1/10/89-eko-567r

CONF012709